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E-FILED
FEBRUARY 01, 2021
9:28 AM
KAY MORIN
FRANKLIN COUNTY CLERK

SUPERIOR COURT OF WASHINGTON IN AND FOR FRANKLIN COUNTY

WASHINGTON TRUST BANK, a
Washington banking corporation,

Plaintiff,

v.

EASTERDAY RANCHES, INC., a
Washington corporation; EASTERDAY
FARMS, a Washington general partnership;
CODY EASTERDAY, individually; DEBBY
EASTERDAY, individually; KAREN
EASTERDAY, individually and in her capacity
as personal representative of the Estate of Gale
Easterday,

Defendants.

NO. 21-2-50049-11

MOTION TO SHORTEN TIME

Plaintiff Washington Trust Bank (“WTB” or “Plaintiff”), respectfully requests that the Court grant an Order shortening time for hearing on WTB’s Motion for Appointment of Receiver, filed concurrently with the Complaint herein.

An immediate hearing is necessary in order to avoid extreme hardship to WTB’s interests, as well as the potential interests of others. This includes the fact that Defendants are indebted to WTB for over \$44,000,000, are in default of their debt, have been credibly accused of fraud (including record evidence demonstrating that Defendants admitted to engaging in a

MOTION TO SHORTEN TIME: 1

LAW OFFICES OF
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01988131 1/29/21

1 fraudulent scheme) in Tyson Fresh Meats, Inc. v. Easterday Ranches, Inc., Franklin County
2 Superior Court under Cause No. 21-2-50034-11, and have already liquidated a valuable asset in
3 a potential "fire sale."

4 Counsel for Defendants are being notified concurrently with this filing regarding the
5 Motion to Appoint a Receiver and this Motion for Order Shortening Time. In addition,
6 Plaintiff's representatives are concurrently giving notice of such motions to the President of
7 Defendants Easterday Ranches, Inc., and Easterday Farms. Forthwith upon the Court's action
8 on Motion for Order Shortening time, all of the above will be given notice of the hearing on the
9 Motion for Appointment of Receiver.

10 This Motion for Order Shortening Time is based on the likelihood of significant and
11 irreparable harm occurring if no relief is granted in the immediate term. Given the size of
12 Defendants' debt and the serious and credible allegations of their financial impropriety, the
13 Court should consider the appointment of a receiver without delay.

14 It is imperative that a hearing be held immediately in order that the Court hear evidence
15 and be in a position to rule on the Appointment of Receiver to protect and preserve Defendants'
16 assets that secure repayment of a loan from Washington Trust Bank. Without this immediate
17 hearing, WTB's senior security interest in various collateral (currently in Defendants' custody)
18 is in danger.

19 DATED this 29th day of January, 2021.

20 LUKINS & ANNIS, P.S.

22 By C. R. Pincock WSOA #50029 for
23 TREVOR R. PINCOCK
24 WSOA #36818
Attorneys for Plaintiff
Washington Trust Bank

25 MOTION TO SHORTEN TIME: 2

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2 **CERTIFICATE OF SERVICE**

3

4 I HEREBY CERTIFY that on the 29th day of January 2021, I caused to be served a true
5 and correct copy of the foregoing by the method indicated below, and addressed to all counsel
6 of record as follows:

7 Cody Easterday 5235 N Industrial Way Pasco, WA, WA 99301 cody@easterdayfarms.com	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Telecopy (FAX) <input checked="" type="checkbox"/> Via email
10 Peter Richter Peter Richter: 200 South Wacker Drive, 31st Floor Chicago, IL 60606 prichter@paladinmgmt.com	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Telecopy (FAX) <input checked="" type="checkbox"/> Via email
14 R. Crane Bergdahl 6119 Burden Blvd., Suite A Pasco, WA 99301 P.O. Box 2755 Pasco, WA 99302 craelaw@msn.com	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Telecopy (FAX) <input checked="" type="checkbox"/> Via email
19 CHS Capital, LLC dba CHSC NM 5500 Cenex Dr. Inver Grove Heights, MN 550077	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Overnight Mail <input type="checkbox"/> Telecopy (FAX) <input type="checkbox"/> Via email
21 U.S. Small Business Administration 1545 Hawkins Blvd, Suite 202 El Paso, TX 79925	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Overnight Mail <input type="checkbox"/> Telecopy (FAX) <input type="checkbox"/> Via email
25 El Paso District Office 915.834.4600	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered

MOTION TO SHORTEN TIME: 3

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1	<u>DL0050@sba.gov</u>	<input type="checkbox"/>	Overnight Mail
2	Office of General Counsel	<input type="checkbox"/>	Telecopy (FAX)
3	409 3rd Street NW	<input checked="" type="checkbox"/>	Via email
4	Washington, DC 20416		
5	Brittany Biles, GC		
6	Nina Levine, Deputy GC		
7	General Inquiries: <u>answerdesk@sba.gov</u>		
8	AXA Equitable Life Insurance Company	<input type="checkbox"/>	U.S. Mail
9	1290 Avenue of the Americas	<input type="checkbox"/>	Hand Delivered
10	New York, NY 10104	<input checked="" type="checkbox"/>	Overnight Mail
11	Customer Service: 877.222.2144	<input type="checkbox"/>	Telecopy (FAX)
12		<input type="checkbox"/>	Via email
13	Equitable Financial Life Insurance Company	<input type="checkbox"/>	U.S. Mail
14	16th Floor, 1290 Avenue of the Americas	<input type="checkbox"/>	Hand Delivered
15	New York, NY 10104	<input checked="" type="checkbox"/>	Overnight Mail
16	Customer Service: 877.222.2144	<input type="checkbox"/>	Telecopy (FAX)
17		<input type="checkbox"/>	Via email
18	The Prudential Insurance Company of America	<input type="checkbox"/>	U.S. Mail
19	2100 Ross Avenue, Suite 2500	<input type="checkbox"/>	Hand Delivered
20	Dallas, TX 75201	<input checked="" type="checkbox"/>	Overnight Mail
21	Loan Nos. 717611839 & 717611840	<input type="checkbox"/>	Telecopy (FAX)
22	214.777.4500	<input type="checkbox"/>	Via email
23	214.721.6007		
24	Rabo Agrifinance, Inc., as Mortgagee	<input type="checkbox"/>	U.S. Mail
25	12443 Olive Blvd, Suite 50	<input type="checkbox"/>	Hand Delivered
26	St. Louis, MO 63141	<input type="checkbox"/>	Overnight Mail
27	855.722.7766	<input type="checkbox"/>	Telecopy (FAX)
28	<u>CustomerConnect@RaboAg.com</u>	<input checked="" type="checkbox"/>	Via email
29	Big Bend Electric Cooperative, Inc.	<input type="checkbox"/>	U.S. Mail
30	P.O. Box 348	<input type="checkbox"/>	Hand Delivered
31	Ritzville, WA 99169	<input type="checkbox"/>	Overnight Mail
32	866.844.2363	<input type="checkbox"/>	Telecopy (FAX)
33	<u>Admin@bbec.org</u>	<input checked="" type="checkbox"/>	Via email

MOTION TO SHORTEN TIME: 4

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2 Marianne Love
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MARIANNE LOVE, PARALEGAL

MOTION TO SHORTEN TIME: 5

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